

## Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 OMB-01

IO-13 DHA-02 AID-05 /077 W

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R 300914Z JUL 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 8186

INFO CINCPAC

C O N F I D E N T I A L MANILA 11273

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS. PINT, RP

SUBJECT: NEW DECREES STIFFEN PENALTIES FOR SUBVERSION AND  
PORNOGRAPHY

REFS: (A) MANILA 10890, (B) MANILA 11210

1. PRESIDENT MARCOS HAS ISSUED NEW DECREES INCREASING  
THE PENALTIES FOR SEDITION AND FOR EXHIBITING PORNOGRAPHY.  
TEXTS OF DECREES NOT YET RELEASED; EMBASSY WILL POUCH WHEN  
AVAILABLE.

2. PRESS REPORTED JULY 26 MARCOS SIGNED DECREE, STILL  
UNNUMBERED, WHICH AMENDS ARTICLES 138 AND 142 OF REVISED  
PENAL CODE. NEW DECREE INCREASES PENALTIES ON REBELLION  
OR SEDITION FROM CORRECIONAL MAYOR (6 MONTHS - 2 YEARS 4  
MONTHS) AND/OR FINE OF 200-2,000 PESOS TO PRISION MAYOR  
(6 - 12 YEARS) AND/OR FINE OF 6,000 - 12,000 PESOS. PENAL-  
TIES APPLY TO THOSE WHO PUBLICLY ADVOCATE REBELLION OR  
SEDITION OR WHO WRITE, PUBLISH, OR SELL REBELLIOUS OR  
SEDITIONOUS LITERATURE, PLAYS, FILMS, OR OTHER MATERIALS.

3. PD 690, SIGNED TWO WEEKS AGO, INCREASE TO PRISION  
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MAYOR AND/OR FINE OF 6,000 - 12,000 PESOS THE PENALTY

FOR EXHIBITING INDECENT OR IMMORAL PLAYS, FILMS, OR SHOWS. COVERED BY THIS DECREE, IN ADDITION TO PORNOGRAPHY, ARE PLAYS OR FILMS WHICH CONDONE CRIMES, INCITE SUBVERSION, OR UNDERMINE PEOPLE'S FAITH IN GOVERNMENT. THIRD RECENT DECREE, PD 969, REPORTEDLY AMENDS PD 690 TO PROVIDE FOR FORFEITURE TO THE GOVERNMENT OF SUCH MATERIALS. THESE DECREES PART OF GENERAL CRACKDOWN ON PORNOGRAPH SPARKED BY RELEASE IN JUNE OF TAGALOG FILM "MGA UHAW NG BULAKLAK,PART II" ("THE THIRSTY FLOWERS, PART II"). RELEASE OF FILM, WHICH PORTRAYS DEGRADING LIVES OF NIGHTCLUB HOSTESSES, PROMPTED MARCOS TO FIRE LAST MONTH ENTIRE BOARD OF MOTION PICTURE CENSORS, INCLUDING BOARD CHAIRMAN MARIA ROCIO DE VEGA, THE WIDOW OF MURDERED PRESIDENTIAL ASSISTANT GUILLERMO DE VEGA.

4. MANILA MORNING DAILIES ALL GAVE DECREES STORY FRONT-PAGE HEADLINE TREATMENT. DAILY EXPRESS COLUMNIST VALENCIA CROWD THE NEXT DAY, "THE PRESIDENTIAL DECREE INCREASING PENALTIES FOR MAKING AND DISTRIBUTING SEDITIOUS FILMS, PORNOGRAPHIC FILMS, AND SUBVERSIVE LITERATURE SHOULD SEPARATE THE REAL 'REBELS' FROM THOSE WHO ARE JUST FOLLOWING A 'FAD' TO LOOK GREAT. NOT IT'S BLACK OR WHITE -- YOU'RE EITHER FOR OR AGAINST THE NEW SOCIETY. IF YOU'RE AGAINST, YOU TAKE YOUR CHANCES." ORIENT NEWS EDITORIAL APPLAUDED PRESIDENT'S "FIRM HAND," SAYING IT IS APPROPRIATE THAT SEDITION AND PORNOGRAPH ARE NOW GIVEN EQUAL PENALTIES, SINCE "PORNOGRAPHY IS EVERY BIT AS UNDERMINING TO THE MORAL BASE OF THE PEOPLE AS MATERIALS THAT INCITE REBELLION OR TRY TO GNA AWAY THE PEOPLE'S FAITH IN GOVERNMENT."

5. COMMENT: NEW DECREES ARE OF A PICE WITH TOUGH STANCE ON UNREST ADOPTED BY DEFENSE SECRETARY ENRILE IN RECENT SPEECH (REF A), AND MAY REFLECT FEAR OF SOME WITHIN MARCOS REGIME (PRESUMABLY THE MILITARY) OF CREEPING RETURN TO PRE-MARTIAL LAW DISORDER. DECREES BASICALLY ARE THREAT GESTURES DIRECTED AT THOSE WHO WOULD UNDERMINE THE NEW SOCIETY. PLAUSIBLE TARGET IS CHURCH PUBLICATION SIGNS OF THE TIMES, THE SUPPRESSION OF WHICH WOULD PRO-

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VOKE CONFRONTATION WITH THE CHURCH. REAL MEASURE OF THE MARCOS REGIME'S DETERMINATION TO CRACK DOWN WILL BE ZEAL WITH WHICH DECREES ARE IMPLEMENTED -- PAST CAMPAIGNS OF THIS SORT HAVE BEEN HAPHAZARD AT BEST. SULLIVAN

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